

TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
01-023

In Re Application No. 09/933,588 ALDERUCCI et al.

Serial No.

09/933,588

Filing Date

August 21, 2001

Examiner

Not Yet Assigned

Group Art Unit

2161

Title: **METHOD AND APPARATUS FOR PROVIDING A SUPPLEMENTARY PRODUCT SALE AT A POINT-OF-SALE TERMINAL**

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TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Group 2100

Transmitted herewith is:

Supplemental Information Disclosure Statement (5 pp.);
PTO Form-1449 (1 pg.) and references cited therein (6); and
Return Receipt Postcard.

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in the above identified application.

- No additional fee is required.
- A check in the amount of _____ is attached.
- The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. **50-0271** as described below. A duplicate copy of this sheet is enclosed.
 - Charge the amount of _____
 - Credit any overpayment.
 - Charge any additional fee required.



Signature

Dated: December 20, 2001

Magdalena M. Fincham
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CC:

I certify that this document and fee is being deposited on December 20, 2001 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.



Signature of Person Mailing Correspondence

Michael D. Brinton

Typed or Printed Name of Person Mailing Correspondence



PATENT

Attorney Docket No. 01-023

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re ~~SPARK~~ Application of: ALDERUCCI et al.

Serial No.: 09/933,588

Filing Date: August 21, 2001

For: METHOD AND APPARATUS FOR
PROVIDING A SUPPLEMENTARY
PRODUCT SALE AT A POINT-OF-
SALE TERMINAL

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Group 2100

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as priority mail in an envelope with sufficient postage and addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on December 3, 2001.

Dated: 12/20/01 By: ✓

Michael D. Brinton

Assistant Commissioner for Patents
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a thorough search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on the accompanying Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items listed on the enclosed copy of Form PTO-1449 and to independently ascertain their teaching.

1. [] Applicants respectfully direct the Examiner's attention to the pending U.S. patent applications listed on the enclosed Form PTO-1449. The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application. Applicants would be pleased to provide the Examiner with a copy of these applications upon request.
2. [] For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application is enclosed. Such items are marked as reference letter(s): _____
_____.
3. [] For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Such items are marked as reference letter(s): _____.
4. [X] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
 - [] 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.
 - [] 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491.

[X] 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits.

5. [] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. 1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.

6. [] A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c) after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action). The fee due under 37 C.F.R. §1.17(p) is to be paid as set forth in paragraph 10 below.

7. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in accordance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a Notice of Allowance, but before the payment of the issue fee, and is accompanied by:

- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
- b. this document is to be considered as a petition requesting consideration of the information disclosure statement.
- c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.

8. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:

[] 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition to Withdraw Application from Issue;

[] 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.

[] The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 10 below.

9. [] I hereby certify:

[] that each item of information contained in the items listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of such communication is enclosed.

[] that no item of information contained or listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

10. [] Please accept payment of the fees due as indicated below:

[] A check in the amount of \$240.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).

[] The Commissioner is hereby authorized to charge \$240.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p). A duplicate copy of this sheet is attached for such purpose

[] A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).

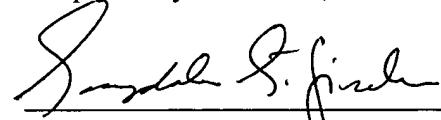
[] The Commissioner is authorized to charge \$130.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(i)(1). A duplicate copy of this sheet is attached.

11. [X] The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.

12. [] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed concurrently with a Request for Continued Examination.

December 20, 2001
Date

Respectfully submitted,



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INFORMATION DISCLOSURE CITATION			Docket Number 01-023	Serial Number 09/933,588	OFFICE OF PETITIONS
			Applicants ALDERUCCI et al.		
			Filing Date August 21, 2001	Group Art Unit 2161	
	A	"Major Appliances: Tappan unveils microwave oven featuring preprogrammed controls.", HFD, September 10, 1984, pg. 103.			
	B	"Heads I win, tails you lose", The Economist, June 13, 1992, Section: Business, finance and science; Business, pg. 74.			
	C	Goodstein, Ronald C., "UPC scanner pricing systems: Are they accurate?", Journal of Marketing, April 1994, Vol. 58, No. 2, pp. 20-30, ISSN: 0022-2429.			
	D	Stankevich, Debby Garbato, "Cook's Warehouse sets heavy-gauge nonstick.", HFN The Weekly Newspaper for the Home Furnishing Network, August 14, 1995, Section: Vol. 69, No. 33, pg. 46.			
	E	Rodwin, Marc A., "Consumer protection and managed care: The need for organized consumers", Health Affairs, Fall 1996, Vol. 15, No. 3, pp. 110-123, ISSN: 0278-2715, CODEN: FRBPBN.			
	F	Kennedy, Doug, "Train front desk staff in sales; hotel industry", Hotel & Motel Management, March 3, 1997, Section: No. 4, Vol. 212, pg. 15, ISSN: 0018-6082.			
EXAMINER			DATE CONSIDERED:		
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.					